

Notice of Allowability	Application No.	Applicant(s)	
	10/722,816	HECHT, MYER (MIKE) H.	
	Examiner	Art Unit	
	Leslie J. Evanisko	2854	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed 06/03/2005 and the interview on 10/17/2005.
2. ☒ The allowed claim(s) is/are 37-60.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>10-17-2005</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Russell Hattis on October 17, 2005.

IN THE SPECIFICATION:

On page 6, line 1, the term "Dycril" was deleted and replaced with --DYCRIL-- to provide an appropriate indication of a trademark.

On page 8, line 2, the term "Mylar" was deleted and replaced with --MYLAR-- to provide an appropriate indication of a trademark.

On page 8, line 20, the term "Dycril" was deleted and replaced with --DYCRIL-- to provide an appropriate indication of a trademark.

On page 8, line 26, the term "of" was deleted and replaced with --off-- to correct an obvious typographical error.

IN THE CLAIMS:

Claims 21-36 have been **canceled**.

The following new claims are hereby added:

37. (new) A litho printing press comprising:

at least one printing station having:

an ink fountain having a supply of paste-type oil-based litho ink;

applicator roller means located adjacent the ink fountain for receiving ink from the fountain;

a rotatable plate cylinder located adjacent the ink fountain and the applicator roller means;

the plate cylinder having secured thereto a non-planar, multiple layer, flexible printing plate called a "Mike Plate" or "Modified Mike Plate", the multiple layer flexible printing plate comprising an outermost applicator layer which receives the paste-type oil based ink from the ink fountain via the applicator roller means, and an innermost carrier layer of a different material than the outermost layer, the outermost applicator layer being adhesively secured to the innermost carrier layer by a transparent adhesive, the outermost layer including spaced cut-out segments and adjacent projecting portions, the projecting portions forming image areas which receive the litho ink from the applicator roller means;

a rotatable impression cylinder over which a substrate passes and located adjacent the plate cylinder and forming a nip therewith;

wherein the projecting portions of the multiple layer printing plate on the plate cylinder deposit the paste-type oil-based litho ink thereon directly upon desired areas of the substrate held in contact with the projecting portions in

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the nip between the impression cylinder and plate cylinder, there being no blanket cylinder, dampener or dampening solution in the printing station to complicate the litho press construct or operation.

38. (new) The litho press of claim 37 wherein all the layers of the multiple-layer flexible printing plate are transparent layers.

39. (new) The litho press of claim 37, wherein the outermost applicator layer of the multiple layer flexible printing plate is transparent and the innermost carrier layer of the multiple layer flexible printing plate is opaque.

40. (new) A method for printing paste-type oil-based litho ink with a litho printing press on a substrate which comprises the steps of:

producing a "Mike Plate" or "Modified Mike Plate" in a pre-press department of a printing plant by assembling a multiple layer flexible printing plate, the printing plate being composed of an outermost transparent layer for receiving and applying the paste-type oil-based litho ink in appropriate nips, the transparent outermost layer being adhesively secured by a transparent adhesive to an innermost carrier layer of a different material, the printing plate being assembled by placing the layers of the printing plate on a support surface, with the outermost layer on top, and cutting through only the

outermost layer along a cut-pattern to create litho ink receiving and applying projections on the outermost layer; and

providing a litho printing press with an ink fountain having a supply of paste-type oil-based litho ink and ink applicator means to convey the paste-type oil-based litho ink received from the ink fountain and depositing the litho ink on the projections of the multiple layer flexible printing plate secured to a rotatable plate cylinder, and which in turn deposits the litho ink directly onto a substrate held in contact with the plate cylinder in a nip by a rotatable impression cylinder, there being no blanket cylinder, dampener, or dampening solution needed in the litho press to complicate the litho press construct or operation.

41. (new) The method of claim 40, wherein both the outermost layer and the innermost carrier layer of the multiple layer flexible printing plate are comprised of transparent synthetic plastic and the cutting is manually conducted on the outermost layer by following the cut pattern on a template positioned under the transparent innermost carrier layer adhesively secured to the outermost layer by the transparent adhesive.

42. (new) The method of claim 40, wherein the outermost layer of the multiple layer flexible printing plate is comprised of transparent synthetic plastic and the innermost carrier layer of the multiple layer flexible printing plate is

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comprised of an opaque material and includes an imaged cut pattern, and the cutting is manually conducted on the outermost layer following the cut pattern provided on the innermost carrier layer which is secured to the outermost layer by the transparent adhesive.

43. (new) The method of claim 40, wherein the cutting through the outermost layer of the multiple layer flexible printing plate is performed by a programmable automatic cutting machine called a CAD-CAM having a cutting edge which cuts through the outermost layer to produce the "Mike Plate" or "Modified Mike Plate".

44. (new) The method of claim 40, wherein the thickness of the outermost layer of the multiple layer flexible printing plate is in the range of 0.015 inches to 0.050 inches.

45. (new) The method of claim 40, wherein the thickness of the transparent adhesive is about 0.001 inches.

46. (new) The method of claim 40, wherein the transparent adhesive is pressure-sensitive, and is pre-applied to the bottom surface of the outermost layer before the outermost layer arrives in the pre-press department of the printing plant.

47. (new) The method of claim 40, wherein the thickness of the innermost carrier layer is in the range of about 0.004 inches to 0.020 inches.

48. (new) The method of claim 40, wherein the total thickness of the "Mike Plate" or "Modified Mike Plate" is about 0.030 inches.

49. (new) A litho printing press comprising:
at least one printing station having:

- an ink fountain having a supply of paste-type oil-based litho ink;
- applicator roller means located adjacent the ink fountain for receiving ink from the fountain;

- a rotatable plate cylinder located adjacent the ink fountain and the applicator roller means;

- the plate cylinder having secured thereto a non-planar, multiple layer, flexible printing plate called a "Mike Plate" or "Modified Mike Plate", the multiple layer flexible printing plate comprising an outermost applicator layer which receives the paste-type oil based ink from the ink fountain via the applicator roller means, and an innermost carrier layer of a different material than the outermost layer, the outermost applicator layer being adhesively secured to the innermost carrier layer by a transparent adhesive, the outermost layer including spaced cut-out segments and adjacent projecting

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portions, the projecting portions forming image areas which receive the litho ink from the applicator roller means;

a rotatable blanket cylinder with a blanket thereon and located adjacent the plate cylinder and forming a nip therewith; and

a rotatable impression cylinder over which a substrate passes and located opposite the blanket cylinder and forming a nip therewith;

wherein, in the nip between the blanket cylinder and plate cylinder, the blanket cylinder receives the litho ink from the projections of the multiple layer flexible printing plate secured to the plate cylinder, and in turn the blanket cylinder deposits the litho ink upon desired areas of the substrate passing through the nip between the blanket cylinder and the impression cylinder, there being no dampening solution or dampener in the printing station to complicate the litho press construct or operation.

50. (new) The litho press of claim 49 wherein all the layers of the multiple layer flexible printing plate are transparent layers.

51. (new) The litho press of claim 49, wherein the outermost applicator layer of the multiple layer flexible printing plate is transparent and the innermost carrier layer of the multiple layer flexible printing plate is opaque.

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52. (new) A method for printing paste-type oil-based litho ink with a litho printing press on a substrate which comprises the steps of:

producing a "Mike Plate" or "Modified Mike Plate" in a pre-press department of a printing plant by assembling a multiple layer flexible printing plate, the printing plate being composed of an outermost transparent layer for receiving and applying the paste-type oil-based litho ink in appropriate nips, the transparent outermost layer being adhesively secured by a transparent adhesive to an innermost carrier layer of a different material, the printing plate being assembled by placing the layers of the printing plate on a support surface, with the outermost layer on top, and cutting through only the outermost layer along a cut-pattern to create litho ink receiving and applying projections on the outermost layer; and

providing a litho printing press with an ink fountain having a supply of paste-type oil based litho ink and ink applicator means to convey the paste-type oil-based litho ink received from the ink fountain and depositing the litho ink on the projections of the multiple layer flexible printing plate secured to a rotatable plate cylinder, said plate cylinder in turn depositing the litho ink received from the projections onto a blanket mounted on a rotatable blanket cylinder, which in turn deposits the litho ink onto a substrate held in contact with the blanket cylinder in a nip formed between a rotatable impression cylinder and the blanket cylinder, there being no dampening solution or

dampener used in the litho press to complicate the litho press construct or operation.

53. (new) The method of claim 52, wherein both the outermost layer and the innermost carrier layer of the multiple layer flexible printing plate are comprised of transparent synthetic plastic and the cutting is manually conducted on the outermost layer by following the cut pattern on a template positioned under the transparent innermost carrier layer adhesively secured to the outermost layer by the transparent adhesive.

54. (new) The method of claim 52, wherein the outermost layer of the multiple layer flexible printing plate is comprised of transparent synthetic plastic and the innermost carrier layer of the multiple layer flexible printing plate is comprised of an opaque material and includes an imaged cut pattern, and the cutting is manually conducted on the outermost layer following the cut pattern provided on the innermost carrier layer which is secured to the outermost layer by the transparent adhesive.

55. (new) The method of claim 52, wherein the cutting through the outermost layer of the multiple layer flexible printing plate is performed by a programmable automatic cutting machine called a CAD-CAM having a cutting

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edge which cuts through the outermost layer to produce the “Mike Plate” or “Modified Mike Plate”.

56. (new) The method of claim 52, wherein the thickness of the outermost layer of the multiple layer flexible printing plate is in the range of 0.015 inches to 0.050 inches.

57. (new) The method of claim 52, wherein the thickness of the transparent adhesive is about 0.001 inches.

58. (new) The method of claim 52, wherein the transparent adhesive is pressure-sensitive, and is pre-applied to the bottom surface of the outermost layer before the outermost layer arrives in the pre-press department of the printing plant.

59. (new) The method of claim 52, wherein the thickness of the innermost carrier layer is in the range of about 0.004 inches to 0.020 inches.

60. (new) The method of claim 52, wherein the total thickness of the “Mike Plate” or “Modified Mike Plate” is about 0.030 inches.

2. The following is an examiner’s statement of reasons for allowance:

The prior art of record fails to teach or fairly suggest either a direct or indirect (offset) dry litho printing press or method of printing with the litho press comprising all of the structure (or method steps) recited, in combination with and particularly including, a printing station including a supply of paste-type oil-based litho ink and a plate cylinder having secured thereto a multiple layer flexible printing plate comprising the outermost and innermost layers secured together by a transparent adhesive, the plate having raised projecting portions defining the image areas and receiving the paste-type oil-based litho ink, wherein the printing station does not include a dampener or dampening solution to complicate the construct or operation of the litho press.

In particular, it is noted that Wolbert (US 3,204,557) teaches a dry offset printing press including a multiple layer printing plate and a litho ink. However, Wolbert does not teach the printing plate includes the particular construction as recited. Furthermore, Hecht (US 6,044,761) teach a multiple layer coating plate having the various layers as recited, but there is no teaching or suggestion to use this plate with a paste-type oil-based printing ink since Hecht specifically teaches using the plate with a water-based coating material. Therefore, there is no clear motivation to combine the teachings of Wolbert and Hecht. Furthermore, it is noted that Obata et al. (US 4,481,282) teach dry litho plates for direct printing. However, Obata et al. does not teach the plate includes raised projecting portions for receiving the litho ink, since it is not clear whether the portions 3 are truly raised and further, Obata et al. teach the


ink receiving areas are actually the lower areas 4. Therefore, the litho press and method of printing with the litho press as specifically recited in the claims are not taught or fairly suggested by the prior art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Leslie J. Evanisko** whose telephone number is **(571) 272-2161**. The examiner can normally be reached on M-Th 7:30 am-6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew H. Hirshfeld can be reached on (571) 272-2168. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Leslie J. Evanisko
Primary Examiner
Art Unit 2854

lje
October 17, 2005